

IN RE: PETITION FOR ZONING VARIANCE
S/S Middletown Road, 388 ft.
W of c/l York Road
18310 Middletown Road
7th Election District
3rd Councilmanic District
Roman Catholic Archbishop of
Baltimore, Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-264-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 18310 Middletown Road in northern Baltimore County. The Petition is filed by the Roman Catholic Archbishop of Baltimore, a Corporation Sole, property owner. Variance relief is requested from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 35 ft., in lieu of the minimum required 50 ft., for a proposed addition and from Section 301.1.A of the BCZR to permit a 22.5 ft. side yard setback, in lieu of the 37.5 ft. required, for a proposed deck. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Msgr. Nicholas P. Amato, on behalf of Our Lady of Grace Parish and the Roman Catholic Archbishop of Baltimore. Also present was Douglas L. Kennedy, a professional engineer who prepared the site plan. Representing the Petitioner was Cornelius J. Carmody, Esquire. There were no Protestants present.

Testimony and evidence presented was that the subject site is 17.41 acres in area, zoned R.C.5. The property is located near the intersection of York Road (Md. Route 45) and Middletown Road, not far from Interstate 83 in northern Baltimore County. The site is a narrow, yet deep, lot with

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Date

By

MICROFILMED

frontage on Middletown Road. The property is approximately 400 ft. wide and 2400 ft. deep.

It was indicated that the property owner acquired the site many years ago and the first improvement to same was the construction of a single story brick parish center building in 1977. This building is located in the center of the property and is approximately 6800 sq. ft. in area. Additional improvements were made to the site on or about 1991. At that time, the 1-1/2 story brick worship center containing 400 seats and 9200 sq. ft. was constructed. In addition to these improvements, the site contains a driveway and large parking area to accommodate parishioners.

The site was originally part of a larger tract which was formerly owned by the Church. However, some years ago, Baltimore Gas and Electric Company acquired a 400 ft. wide fee simple strip immediately south of the present property. In all, BG&E acquired 22.75 acres from the Church. This acreage was obtained to allow the utility to construct additional electrical towers. The site plan shows that BG&E has erected twin sets of towers within the strip. Obviously, this acquisition has shrunken the acreage owned by the Church and limited the area available for construction and to maintain proper setbacks. It was also observed that BG&E has leased much of its property for crops for so long as same does not interfere with the transmission towers.

In any event, the Petitioner now proposes additional construction on the property. Specifically, an 8850 sq. ft. proposed addition is contemplated to the south side of the existing parish center building for social activities. A smaller 950 sq. ft. addition is also proposed, as is a third addition of 2400 sq. ft. These three separate additions will provide more area for Church activities and educational pursuits at the Church. Moreover, an outside concrete patio is proposed, as is a proposed

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Date

BY

2/13/97
M. J. [Signature]

deck immediately abutting the largest addition. An expansion of the parking lot is also proposed to accommodate additional visitors generated by the expansion of the building.

Variance relief is requested for the 8850 sq. ft. addition and the proposed deck. In this regard, Mr. Kennedy testified that the narrowness of the lot caused by BG&E's acquisition of the strip immediately adjacent thereto, justifies the variance. As noted above, the subject site is narrow in width, thereby limiting the exposed area of expansion. In my judgment, this factor makes the property unique and justifies variance relief. Moreover, it is clear that there will be no detrimental impact to the surrounding properties occasioned by the proposed construction. In this regard, the immediate neighboring property to the proposed expansion is the BG&E strip. As noted above, this strip contains only the electrical transmission towers and an active agricultural use. There are no residences or other buildings within immediate proximity of the proposed improvements. For all of these reasons, I shall grant the Petition for Variance which has been requested.

Lastly, several advisory comments were offered by the Zoning Plans Advisory Committee which should be addressed. One such comment was from the Department of Environmental Protection and Resource Management (DEPRM). This comment indicated that the existing septic system need be evaluated and an additional soil percolation test will be required. The water appropriation permit may need to be revised. In this regard, Mr. Kennedy indicated that a new sewage disposal area was being proposed on the southeast corner of the site. Compliance with DEPRM's comment is appropriate and will be required.

A comment was also generated by the Development Plans Review Division of the Dept. of Permits & Development Management. This comment indicates-

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Date

By

that additional landscaping is necessary for the parking lot. The original parking lot was constructed prior to the adoption of many of the current landscaping requirements. The Petitioner need not bring this parking lot into compliance with the Manual in that same predates those requirements. However, the new portion of the lot need be landscaped. In this regard, preliminary landscaping, as shown on the site plan, appears appropriate.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of February, 1997 that a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 35 ft., in lieu of the minimum required 50 ft., for a proposed addition, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 301.1.A of the BCZR to permit a 22.5 ft. side yard setback, in lieu of the 37.5 ft. required for a proposed deck, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the comment submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, DEPRM, dated January 2, 1997, is adopted in its entirety and made a part of this Order.
3. The property owner shall submit a landscape plan for the area of expansion to the parking

ORDER RECEIVED FOR FILING

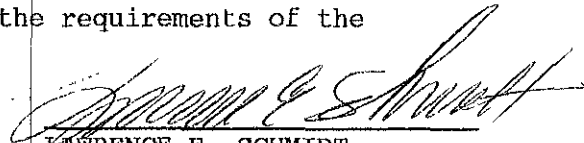
Date

By

MICROFILMED

lot, consistent with the requirements of the
Landscape Manual.

LES/mmn


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

2/13/97

By

M. G. G. G. G.

MICROFILMED

3 0 99
IN THE MATTER OF
THE APPLICATION OF THE
ROMAN CATHOLIC ARCHBISHOP OF
BALTIMORE -PETITIONER
FOR VARIANCE ON PROPERTY
LOCATED ON THE SOUTH SIDE
MIDDLETOWN ROAD, 388' W OF
CENTERLINE OF YORK ROAD
(18310 MIDDLETOWN ROAD)
7TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 97-264-A
*

* * * * *
ORDER OF DISMISSAL


This matter comes to this Board on appeal from a decision of the Zoning Commissioner dated March 14, 1997 in which the subject Petition for Variance was granted.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed by M. V. Runkles III, Appellant /Protestant, dated February 26, 1998 (a copy of which is attached hereto and made a part hereof); and


WHEREAS, said Appellant requests that the appeal filed in this matter be withdrawn as of February 26, 1998;

IT IS HEREBY ORDERED this 4th day of March, 1998 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Lawrence M. Stahl, Acting Chairman


Thomas P. Melvin


Harry E. Buchheister, Jr.

MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

March 4, 1998

Mr. M. V. Runkles III
18200 York Road
Parkton, MD 21120

RE: Case No. 97-264-A / Roman Catholic
Archbishop of Baltimore -Petitioner

Dear Mr. Runkles:

Enclosed please find a copy of the Order of Dismissal issued
this date by the County Board of Appeals of Baltimore County
in the subject matter.

Very truly yours,

Charlotte E. Redcliffe for

Kathleen C. Bianco
Administrator

encl.

cc: G. Warren Mix, Esquire
Cornelius J. Carmody, Esquire
Msgr. Nicholas P. Amato
People's Counsel for Baltimore County
Pat Keller
Arnold Jablon, Director /PDM
Lawrence E. Schmidt
Virginia W. Barnhart, County Attorney

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 10, 1997

Cornelius J. Carmody, Esquire
P.O. Box 302, 16940 York Road
Monkton, Maryland 21111

RE: Case No. 97-264-A
Petition for Zoning Variance
Property: 18310 Middletown Road
Roman Catholic Archibshop of Baltimore, Petitioner
(Our Lady of Grace Roman Catholic Parish)

Dear Mr. Carmody:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

c: Msgr. Nicholas P. Amato, Our Lady of Grace Roman Catholic Parish
18310 Middletown Road, Parkton, Md. 21120

MICROFILMED

RE: PETITION FOR VARIANCE
18310 Middletown Road (Our Lady of Grace
Parish), S/S Middletown Road, 388' W of
c/l York Road, 7th Election District,
3rd Councilmanic

Roman Catholic Archbishop of Baltimore,
a Corporation Sole
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-264-A
*

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to Cornelius J. Carmody, Esq., PO 302, 16940 York Road, Monkton, MD 21111, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED



Petition for Variance

97-264-A

to the Zoning Commissioner of Baltimore County

for the property located at

#18310 MIDDLETOWN ROAD

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

B.C.Z.R. Section 1A04.3B3 to allow a sideyard of 35 feet in lieu of the minimum required 50 feet in a R.C.-5 Zone for proposed addition to the existing parish center, AND 301.1A to PERMIT A 22.5 foot SIDEYARD IN LIEU of 37.5 FEET for proposed deck of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Strict application of the principal building, lot line setback of 50 feet would cause undue hardship and practical difficulty in the utilization of the land and the design/construction of the addition

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Cornelius J. Carmody, Esq.

(Type or Print Name)

Signature

PO 302, 16940 York Rd. 329-8074

Address

Phone No.

Monkton,

City

MD
State

21111
Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Roman Catholic Archbishop of Baltimore

(Type or Print Name)

a Corporation Sole

Signature

(Type or Print Name)

Signature

Authorized Representative

320 Cathedral St.

Address

Phone No.

Baltimore, MD

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Msgr Nicholas P. Amato

Name

Our Lady of Grace Roman Catholic Parish

Address

18310 Middletown Rd.

Phone No 329-6826

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: ML

DATE 12/18/91

MICROFILMED

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

December 18, 1996

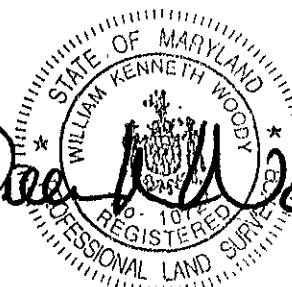
ZONING DESCRIPTION

Property of The Roman Catholic Church
c/o Archbishop of Baltimore
Our Lady of Grace Parish
18310 Middletown Road
Deed 4087 folio 194
Account # 0719032920

Beginning For The Same at a point on the South right-of-way line of Middletown Road, 70' R/W, said point (N120,203., W12,743.) being distant 388 ft., more or less, due West from the southwest intersection of Middletown Road, 70' R/W, and York Road, 66' R/W, thence the following courses and distances:

1. S 54D48'50" E 82.97'
2. S 78D36'57" E 56.81'
3. S 85D34'40" E 100.01'
4. S 86D59'01" E 112.28'
5. S 58D00'38" W 108.46'
6. S 59D46'14" W 819.62'
7. N 30D13'46" W 190.00'
8. S 59D46'14" W 165.00'
9. S 30D13'46" E 60.00'
10. S 59D46'14" W 110.00'
11. S 30D13'46" E 130.00'
12. S 59D46'14" W 642.74'
13. S 58D47'44" W 619.95'
14. N 21D24'15" W 189.35'
15. N 14D33'38" W 251.79'
16. N 28D14'53" W 46.22'
17. N 75D00'52" E 633.89'
18. N 66D07'06" E 323.45'
19. N 42D06'23" E 329.98'
20. N 54D17'04" E 658.81'
21. N 73D41'31" E 76.91'
22. For a curve to the left R=853.18' and L=222'

To the Point of Beginning
Containing 17.4 acres of land, more or less.

12/18/96

The seal is circular with a double border. The outer border contains the text "STATE OF MARYLAND" at the top and "PROFESSIONAL LAND SURVEYOR" at the bottom. The inner border contains the text "WILLIAM KENNETH WOODY" at the top and "No. 10142" at the bottom. In the center is a crest featuring a shield with a cross and four smaller crosses, topped with a crown. A large, stylized signature is written across the seal.

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-264-A
(Item 264)

(Our Lady of Grace Parish)
18310 Middletown Road
S/S Middletown Road, 388'
W of c/I York Road
7th Election District
3rd Councilmanic

Legal Owner(s):
Roman Catholic Archbishop
of Baltimore, a Corporation
Sole

Variance: to allow a side yard of 35 feet in lieu of the minimum required 50 feet for proposed addition to the existing parish center; and to permit a 22.5 foot side yard in lieu of 37.5 feet for proposed deck.

Hearing: Friday, February 7,
1997 at 10:00 a.m. in Rm.
106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3391.

1/202 Jan. 16

C112444

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

1/16, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/16, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED

CERTIFICATE OF POSTING

RE: Case No.: 97-264-A

Petitioner/Developer: ROMAN CATHOLIC
ARCHBISHOP OF BALTO., ETAL
c/o DOUG. KENNEDY
F 298 0604

Date of Hearing/Closing: 2/7/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #18310 MIDDLETOWN RD
"OUR LADY OF GRACE CHURCH"

The sign(s) were posted on 1/22/97 correct
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 1/30/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

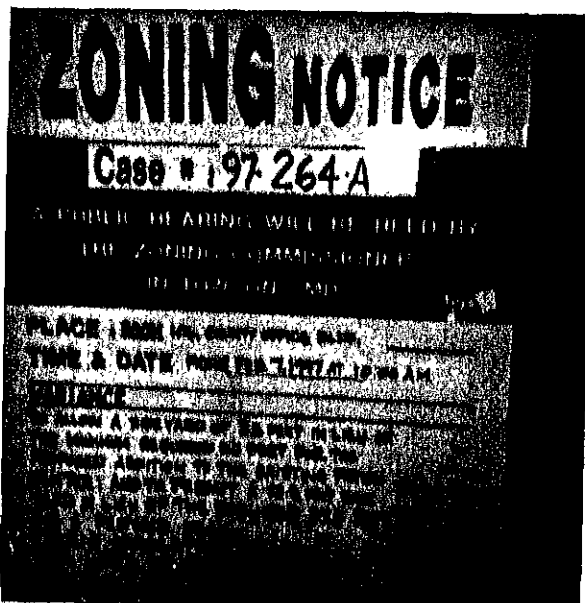
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

Pager (410) 646-8354

(Telephone Number)



#18310 Middletown Rd.
ROMAN CATHOLIC ARCHBISHOP, BALTO.
c/o DOUG KENNEDY

MICROFILMED

CERTIFICATE OF POSTING

RE: Case No.: 97-264-A

Petitioner/Developer: _____

ROMAN CAT. ARCH. OF BALTO.

Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

18310 MIDDLETOWN RD.

The sign(s) were posted on 5/8/97 ✓
(Month, Day, Year)

Sincerely,

Gary Fend 5/12
(Signature of Sign Poster and Date)

(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 264

Petitioner: Roman Catholic Archbishop of Baltimore

Location: 18310 Middletown Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: CORNELIUS J. CARMODY Esq

ADDRESS: PO 302, 16940 YORK Rd.

MONKTON MD 21111

PHONE NUMBER: 329-8074

AJ:ggs

(Revised 09/24/96)

MICROFILMED



Request for Zoning: Variance, Special Exception, or Special Hearing

#264

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: _____

DATE AND TIME: _____

REQUEST: B.C.Z.R. SECTION 1A04.3B3 TO ALLOW A SIDEYARD
OF 35 FT. IN LIEU OF THE MINIMUM REQUIRED 50 FT. IN A R.C.-5
ZONE FOR PROPOSED ADDITION TO EXISTING PARISH CENTER, AND
SECT. 301.1A TO ALLOW A 22.5 FT. SIDEYARD IN LIEU OF 37.5 FT.
FOR A PROPOSED DECK.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

ULTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 029955

DATE 12/18/96 ACCOUNT 01-615

Item: 264

By: cash

AMOUNT \$ 250.⁰⁰

RECEIVED
FROM: Kennedy, Douglas - 18310 Middle-town Rd.

FOR: 020- Comm. Variance - \$ 250.⁰⁰
MICROFILMED

01A008037MICHRD \$250.00
BA 7011145AM12-11-96

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 02558

DATE 3/14/97 ACCOUNT R-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: M.V. Runkles, III

FOR: Appeal # 97-264-A

MICROFILMED

03A91MD237MICHRC
BA C002:20PM03-14-97

\$210.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

RYE

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 02558

DATE 3/14/97 ACCOUNT R-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: M.V. Runkles, III

FOR: Appeal # 97-264-A

03A91MD237MICHRC
BA C002:20PM03-14-97

\$210.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

RYE

18,200 York Road
Parkton, MD., 21120
13 March 1997
(410) 343-0606

Arnold Jablon, Director
Permits & Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD., 21204

Ref: Case No. 97-264-A
Petition for zoning variance
Our Lady of Grace Parish

Dear Sir:

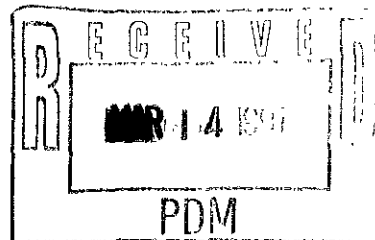
I would like to request that you enter my appeal of the above referenced case to the Baltimore County Board of Appeals.

My check is enclosed for the amount of \$210.00.

Very truly yours,



M. V. Runkles, III
Weisburg



MICROFILMED

TO: PUTIXENT PUBLISHING COMPANY
January 16, 1997 Issue - Jeffersonian

Please forward billing to:

Cornelius J. Carmody, Esq.
P. O. Box 302
16940 York Road
Monkton, MD 21111
329-8074

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-264-A (Item 264)
(Our Lady of Grace Parish)
18310 Middletown Road
S/S Middletown Road, 388' W of c/l York Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Roman Catholic Archbishop of Baltimore, a Corporation Sole

Variance to allow a side yard of 35 feet in lieu of the minimum required 50 feet for proposed addition to the existing parish center; and to permit a 22.5 foot side yard in lieu of 37.5 feet for proposed deck.

HEARING: FRIDAY, FEBRUARY 7, 1997 at 10:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 10, 1997


NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-264-A (Item 264)
(Our Lady of Grace Parish)
18310 Middletown Road
S/S Middletown Road, 388' W of c/l York Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Roman Catholic Archbishop of Baltimore, a Corporation Sole

Variance to allow a side yard of 35 feet in lieu of the minimum required 50 feet for proposed addition to the existing parish center; and to permit a 22.5 foot side yard in lieu of 37.5 feet for proposed deck.

HEARING: FRIDAY, FEBRUARY 7, 1997 at 10:00 a.m. in Room 106, County Office Building.


Arnold Jablon
Director

cc: Msgr. Nicholas P. Amato
Cornelius J. Carmody, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 23, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

June 25, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-264-A

IN THE MATTER OF: ROMAN CATHOLIC ARCHBISHOP OF
BALTIMORE -Petitioner 18310 Middletown Road
7th Election District; 3rd Councilmanic

(Petition for Variance GRANTED.)

ASSIGNED FOR: WEDNESDAY, AUGUST 20, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Administrator

cc: Appellant /Protestant : M. V. Runkles III
Counsel for Petitioner : Cornelius J. Carmody, Esquire
Petitioner : Msgr. Nicholas P. Amato /Our Lady of
Grace Roman Catholic Parish

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

MICROFILMED





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

June 25, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-264-A

IN THE MATTER OF: ROMAN CATHOLIC ARCHBISHOP OF
BALTIMORE -Petitioner 18310 Middletown Road
7th Election District; 3rd Councilmanic

(Petition for Variance GRANTED.)

*pp'd to
1/08/98
@ 10:00 am*
ASSIGNED FOR:

WEDNESDAY, AUGUST 20, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Administrator

cc: Appellant /Protestant : M. V. Runkles III
Counsel for Petitioner : Cornelius J. Carmody, Esquire
Petitioner : Msgr. Nicholas P. Amato /Our Lady of
Grace Roman Catholic Parish

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

MICROFILMED





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

August 1, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-264-A

IN THE MATTER OF: ROMAN CATHOLIC ARCHBISHOP OF
BALTIMORE -Petitioner 18310 Middletown Road
7th Election District; 3rd Councilmanic

(Petition for Variance GRANTED.)

which was scheduled for hearing before the Board on August 20, 1997 has been
POSTPONED at the request of Counsel for Petitioner due to unavailability of
Petitioner; and has been

REASSIGNED FOR:

THURSDAY, JANUARY 8, 1998 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should
consider the advisability of retaining an attorney.

No postponements will be granted without sufficient
reasons; said requests must be in writing and in compliance
with Rule 2(b) of the Board's Rules. No postponements will
be granted within 15 days of scheduled hearing date unless
in full compliance with Rule 2(c). For further
information, see Board's Rules of Practice & Procedure,
Appendix C, Baltimore County Code.

Kathleen C. Bianco
Administrator

cc: Appellant /Protestant : M. V. Runkles III
Counsel for Petitioner : Cornelius J. Carmody, Esquire
Petitioner : Msgr. Nicholas P. Amato /Our Lady of
Grace Roman Catholic Parish

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

August 1, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-264-A

IN THE MATTER OF: ROMAN CATHOLIC ARCHBISHOP OF
BALTIMORE -Petitioner 18310 Middletown Road
7th Election District; 3rd Councilmanic

(Petition for Variance GRANTED.)

which was scheduled for hearing before the Board on August 20, 1997 has been
POSTPONED at the request of Counsel for Petitioner due to unavailability of
Petitioner; and has been

REASSIGNED FOR:

THURSDAY, JANUARY 8, 1998 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should
consider the advisability of retaining an attorney.

No postponements will be granted without sufficient
reasons; said requests must be in writing and in compliance
with Rule 2(b) of the Board's Rules. No postponements will
be granted within 15 days of scheduled hearing date unless
in full compliance with Rule 2(c). For further
information, see Board's Rules of Practice & Procedure,
Appendix C, Baltimore County Code.

Kathleen C. Bianco
Administrator

cc: Appellant /Protestant

: M. V. Runkles III

Counsel for Petitioner
Petitioner

: Cornelius J. Carmody, Esquire
: Msgr. Nicholas P. Amato /Our Lady of
Grace Roman Catholic Parish

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

MICROFILMED





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

*w/o an
Appellant
2/26/98*

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 16, 1997

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-264-A

IN THE MATTER OF: ROMAN CATHOLIC ARCHBISHOP OF
BALTIMORE -Petitioner 18310 Middletown Road
7th Election District; 3rd Councilmanic

(Petition for Variance GRANTED.)

which was scheduled for hearing before the Board on January 8, 1998 has been
POSTPONED at the request of Counsel for Protestant due to Circuit Court
calendar conflict; and has been

REASSIGNED FOR: TUESDAY, APRIL 14, 1998 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the
advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C,
Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient
reasons; said requests must be in writing and in compliance with Rule
2(b) of the Board's Rules. No postponements will be granted within 15
days of scheduled hearing date unless in full compliance with Rule
2(c).

Kathleen C. Bianco
Administrator

cc: Counsel for Appellant /Protestant : G. Warren Mix, Esquire
Appellant /Protestant : M. V. Runkles III

Counsel for Petitioner : Cornelius J. Carmody, Esquire
Petitioner : Msgr. Nicholas P. Amato /Our Lady of
Grace Roman Catholic Parish

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

MICROFILMED

Case No. 97-264-A

S/s Middletown Road, 388 ft. W of c/l York Road
(18310 Middletown Road)

7th Election District

Appealed: 3/14/97

(see attached copy of
vicinity map)

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 31, 1997

Cornelius J. Carmody, Esquire
PO 302, 16940 York Road
Monkton, MD 21111

RE: Item No.: 264
Case No.: 97-264-A
Petitioner: Nicholas P. Amato

Dear Mr. Carmody:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: January 6, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for January 6, 1997
Item No. 264

The Development Plans Review Division has reviewed the subject zoning item. The entire site is subject to the Baltimore County Landscape Manual. The parking lot, as submitted, does not conform with Sec. IX C.2.b.(1). which requires 7% of the parking lot interior to be reserved for landscaping. The Zoning Variance Plan must be revised to conform with the 7% requirement. A Schematic Landscape Plan must be submitted at the Development Plan stage.

RWB:jrb

cc: File

ZONE44B

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
 Zoning Administration and
 Development Management

January 2, 1997

FROM: R. Bruce Seeley *RBS*
 DEPRM

SUBJECT: Zoning Item #264
 18310 Middletown Road
 Zoning Advisory Committee Meeting of December 30, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Ground Water Management

The existing septic system must be evaluated. Additional soil percolation tests will be required. The Water Appropriation Permit may need to be revised.

RBS:sp

MIDDLET/DEPRM/TXTSBP

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12-31-96
Item No. 264 (MJK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: January 2, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 246, 260 and (264)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

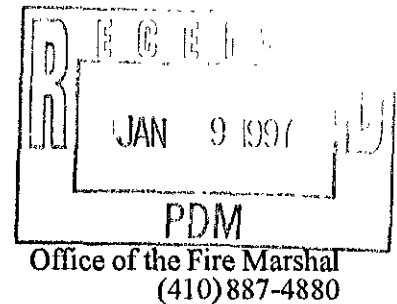
Pat Keller

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



DATE: 01/08/97

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ROMAN CATHOLIC ARCHBISHOP OF BALTIMORE, A
CORPORATION SOLE
Location: S/S MIDDLETOWN RD. 388' W OF CENTERLINE YORK RD.
(18310 MIDDLETOWN RD.)
Item No.: 264 Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 24, 1997

Cornelius J. Carmody, Esquire
P.O. Box 302
16940 York Road
Monkton, MD 21111

RE: Petition for Zoning
Variance
S/S Middletown Road, 388
ft. W of c/l York Road
(18310 Middletown Road)
7th Election District
3rd Councilmanic District
Roman Catholic Archbishop
of Baltimore - Petitioner
Case No. 97-264-A

Dear Mr. Carmody:

Please be advised that an appeal of the above-referenced case was filed in this office on March 14, 1997 by M. V. Runkles, III. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not, hesitate to call 887-3180.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

ARNOLD JABLON
Director

AJ:rye

c: People's Counsel

MICROFILMED



APPEAL

Petition for Zoning Variance
S/S Middletown Road, 388 ft. W of c/l York Road
(18310 Middletown Road)
7th Election District - 3rd Councilmanic District
Roman Catholic Archbishop of Baltimore - Petitioner
Case No. 97-264-A

Petition for Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibits: 1 - Site Plan
2 - Plat to Accompany Petition for Zoning
Variance

Zoning Commissioner's Order dated February 13, 1997 (Granted)

Notice of Appeal received on March 14, 1997 from M. V. Runkles, III

c: Cornelius J. Carmody, Esquire, P.O. Box 302, 16940 York Road,
Monkton, Maryland 21111
Msgr. Nicholas P. Amato, Our Lady of Grace Roman Catholic Parish,
18310 Middletown Road, Parkton, MD 21120
Mr. M. V. Runkles, III, 18200 York Road, Parkton, MD 21120
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILMED

APPEAL

Petition for Zoning Variance
S/S Middletown Road, 388 ft. W of c/l York Road
(18310 Middletown Road)
7th Election District - 3rd Councilmanic District
Roman Catholic Archbishop of Baltimore - Petitioner
Case No. 97-264-A

- ✓ Petition for Variance
- ✓ Description of Property
- ✓ Certificate of Posting
- ✓ Certificate of Publication
- ✓ Entry of Appearance of People's Counsel
- ✓ Zoning Advisory Committee Comments

Petitioners' Exhibits: 1 - Site Plan
2 - Plat to Accompany Petition for Zoning Variance

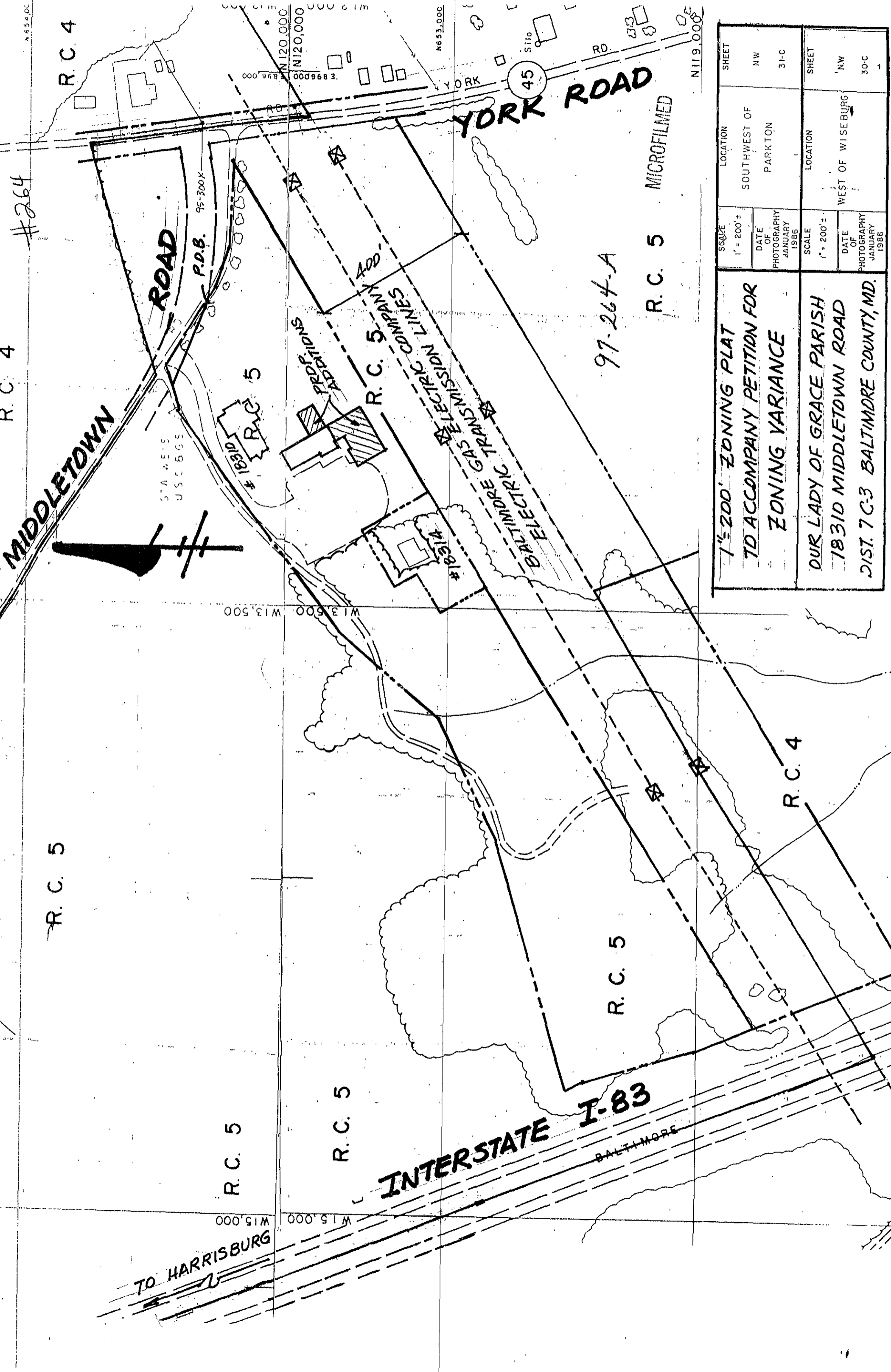
- ✓ Zoning Commissioner's Order dated February 13, 1997 (Granted)
- ✓ Notice of Appeal received on March 14, 1997 from M. V. Runkles, III

c: Cornelius J. Carmody, Esquire, P.O. Box 302, 16940 York Road,
Monkton, Maryland 21111
Msgr. Nicholas P. Amato, Our Lady of Grace Roman Catholic Parish,
18310 Middletown Road, Parkton, MD 21120
Mr. M. V. Runkles, III, 18200 York Road, Parkton, MD 21120
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

G. Warren Mix, Esquire
TURNBULL, MIX & FARMER
706 Washington Avenue
Towson, MD 21204

MICROFILMED



| | | | |
|---|--|-------------------------------------|----------------------|
| 1"=200' ZONING PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE | SCALE 1" = 200' ± | LOCATION SOUTHWEST OF PARKTON | SHEET NW 31-C |
| | DATE OF PHOTOGRAPHY JANUARY 1986 | | |
| OUR LADY OF GRACE PARISH 18310 MIDDLETOWN ROAD DIST. 7C-3 BALTIMORE COUNTY, MD. | SCALE 1" = 200' ± | LOCATION WEST OF WISEBURG | SHEET 'NW 30-C |
| | DATE OF PHOTOGRAPHY JANUARY 1986 | | |

Case No. 97-264-A

VAR -To allow side yard setback of 35' ilo minimum req'd 50' for proposed addition and to permit 22.5' side yard setback, ilo of 37.5' required, for proposed deck.

2/13/97 -Z.C.'s Order in which Petition for Variance was GRANTED.

6/25/97 - Notice of Assignment for hearing scheduled for Wednesday, August 20, 1997 at 10:00 a.m. sent to following:

M. V. Runkles III
Cornelius J. Carmody, Esquire
Msgr. Nicholas P. Amato /Our Lady of
Grace Roman Catholic Parish
People's Counsel for Baltimore County
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

7/09/97 -Request for PP from Cornelius J. Carmody, Counsel for RCC; Monsignor Amato out of country for 4 months from August 17th returning December 16th.

7/14/97 -Letter from Mr. Runkles; will not object to PP providing no construction begins.

7/25/97 -No objections from PC relative to PP; matter to be rescheduled for hearing; Notice of PP and Reassignment to be sent.

8/01/97 -Notice of PP and Reassignment sent to parties; case rescheduled for Thursday, January 8, 1998 at 10:00 a.m.

12/12/97 -Letter from G. Warren Mix, Esquire; entering appearance on behalf of Protestant /Appellant, Marion V. Runkles III; requesting postponement from 1/08/98 date; scheduled to appear in District Court at Essex and Circuit Court for Baltimore County on 1/08/98.

- Postponement granted; case rescheduled to Tuesday, April 14, 1998 at 10:00 a.m.

2/26/98 -T/C from Marion Runkles; will be faxing a letter to withdraw his appeal. An agreement has been reached with the church for site screening; Mr. Runkles to provide copy of W/D letter to the Church so they can apply for necessary permits. Received FAX. Order of Dismissal to be issued by CBA.

2/27/98 -Received original of above withdrawal of appeal.

MICROFILMED

PETITION PROBLEMS

#264 --- MJK

1. Need typed or printed name of person signing for legal owner.
2. Need authorization for person signing for legal owner.
3. Need telephone number of legal owner.
4. Need zip code of legal owner.

#266 --- CAM

1. No review information on bottom of petition form.
2. No description on folder - just address.

#267 --- JRA

1. No description on folder - just address.

MICROFILMED

12/24/96

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 2, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed File: 97-264-A /Roman Catholic Archbishop
of Baltimore

As no further appeal has been taken in the above captioned case, which was dismissed by Order dated March 4, 1998, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-264-A)

MICROFILMED

LAW OFFICES
CORNELIUS J. CARMODY
HEREFORD CENTER, SUITE 201
P.O. BOX 302 • 16940 YORK ROAD
MONKTON, MD 21111-0302

(410) 329-8074
FAX (410) 357-5169

July 8, 1997

Baltimore County Board of Appeals
Old Courthouse, Rm 49
400 Washington Ave.
Towson, MD 21204

Re; Roman Catholic Archbishop of Baltimore - 18310 Middletown Rd.; 7th Election District;
3rd Councilmanic District

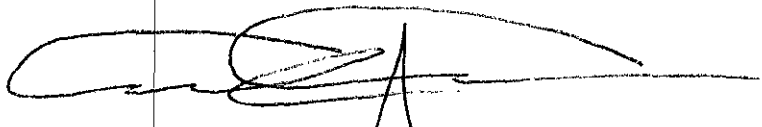
Case No. 97-264-A, assigned August 20, 1997, 10:00 a.m.

Gentlemen,

I have learned that Monsignor Nicholas P. Amato, the Pastor of Our Lady of Grace, the Petitioner, has been assigned to a four month course of study in Rome, Italy, by his superior, William Cardinal Keeler. Monsignor Amato leaves the United States on August 17 and returns on December 16, 1997. Because Monsignor Amato is the responsible party and the person most knowledgeable about the facts of the petitioner's case, we request that the appeal be continued until after Monsignor Amato's return.

Additionally, petitioner has had some preliminary discussions with the Baltimore County Landmark Commission which may lead to a satisfactory resolution of the appellant's principal objection, which is the landscape screening of the Wiseburg Inn.

Very truly yours,



Cornelius J. Carmody

cc: Appellant, M.V. Runkles III
People's Counsel
Virginia Barnhart, County Atty
Pat Keller, Director/Planning

RECEIVED
COUNTY BOARD OF APPEALS
97 JUL -9 AM 11:40
MICROFILMED

Celebrating Catholic Life



Through Worship and Service

OUR LADY OF GRACE PARISH

February 25, 1998

Mr. Marion M. Runkles, III
18200 York Road
Parkton, MD 21120

Dear Marion,

I was very pleased to meet with you and Ed Shanneybrook this morning and share the landscape architect's drawing showing the proposed site screening for the construction of our new parish center. For the sake of reference, it is entitled "Final Landscape Plan" with a stamped print date of February 23, 1998. It was wonderful to know that the three of us were comfortable with the drawing.

There were two items that were raised at our meeting and it was agreed that I would put them in writing for the sake of the record.

➔ First, it is our mutual understanding that the plantings to be used for site screening will be maintained and second, that the trees in front of the deck area need not grow above the floor of the deck so people on the deck can have a view to the south.

May I say how easygoing our discussions have been to resolve your initial concerns. I also appreciate your willingness to expedite this matter so that the appeal might be removed and Our Lady of Grace might processed quickly in securing the necessary permits for construction to begin.

As your neighbor to the north, if I or our parish can be of any assistance in the future, please do not hesitate to call upon me.

Sincerely yours,

(Rev. Msgr.) Nicholas P. Amato
Pastor

MICROFILMED

Fax

To: Secretary
Of: Balto. County Board of Appeals
Fax: (410) 887-3182
Phone: (410) 887-3180
Pages: 2, including this cover sheet.
Date: February 26, 1998

RECEIVED
COUNTY BOARD OF APPEALS
98 FEB 26 AM 11:12

MICROFILMED

TRANSMISSION VERIFICATION REPORT

TIME: 02/26/1998 10:39
NAME: BOARD OF APPEALS
FAX : 4108873182
TEL : 4108873180

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

02/26 10:36
94108824160
00:02:24
04
OK
STANDARD

MICROFILMED

RECEIVED
COUNTY BOARD OF APPEALS

98 FEB 27 AM 11:39

18,200 York Road
Parkton, MD., 21120
26 February 1998

The Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD., 21204

Ref: Case No. 97-264-A
Our Lady of Grace parish

Dear Sirs/Mesdames:

As I have worked out a satisfactory agreement concerning the sight screening of the Weisburg Inn, with Msgr. Amato, rector of Our Lady of Grace Church, I wish to withdraw my appeal of the above referenced case scheduled for hearing on 14 April 1998.

Very truly yours,



M. V. Runkles, III

cc: Msgr Nicholas P. Amato
G. Warren Mix, Esq.
People's Counsel
Baltimore Co. Landmarks Comm.
Weisburg Comm. Association

MICROFILMED

LAW OFFICES
TURNBULL, MIX & FARMER

706 Washington Avenue
Towson, Maryland 21204

(410) 828-0700

(410) 825-1517

FAX : (410) 828-5086

JOHN GRASON TURNBULL

(1909-1984)

WILLIAM E. HAMMOND

(1924-1992)

OCEAN CITY OFFICE
210 N. 15TH STREET
OCEAN CITY, MD 21842
(410) 289-6419

December 10, 1997

County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: In the Matter of Roman Catholic Archbishop of Baltimore
Case No. 97-264-A

Dear Sir or Madam:

Please enter my appearance as counsel on behalf of the Protestant, Marion V. Runkles, III, in reference to the above captioned matter. While I was out of the office the month of November recovering from open heart surgery I learned from Mr. Runkles that this matter was rescheduled for January 8, 1998. Please be advised that I have two previously scheduled criminal matters on that date, State of Maryland vs. Mesaris, in the District Court at Essex at 9:00 a.m., and State of Maryland vs. Roberts, in the Circuit Court for Baltimore County at 9:30 a.m. Therefore, it is necessary that I request a continuance to a new date in the above captioned matter.

Thank you for your cooperation.

Very truly yours,

TURNBULL, MIX & FARMER



G. Warren Mix

GWM/df

cc: Cornelius J. Carmody, Esquire
Peter M. Zimmerman, People's Counsel

RECEIVED
COUNTY BOARD OF APPEALS
97 DEC 11 PM 2:28

MICROFILMED

2/27/98

TO DP
see me

call & suggest that
as applicant to w/draw
appeal, project owner
revised -

18,200 York Road
Parkton, MD., 21120
26 February 1998

Arnold Jablon, Director
Permits & Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD, 21204

Ref: Case No. 97-264-A
Petition for Zoning Variance
Our Lady of Grace Parish

Dear Sir:

I wish to advise that I have worked out a satisfactory agreement concerning the sight screening of the Weisburg Inn, with Msgr. Amato, rector of Our Lady of Grace Church. I have notified The Baltimore County Board of Appeals that I wish to withdraw the above referenced appeal.

Since I would like to have this agreement recorded with Baltimore County, I am enclosing a copy of Drawing C-109, "Final Landscape Plan," which shows the agreed upon plantings. Also enclosed is a copy of a letter from Msgr. Amato stating that the plantings will be maintained, i.e. any that happen to die will be replaced.

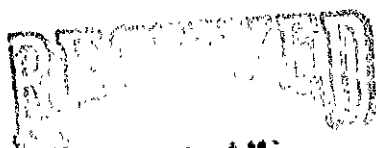
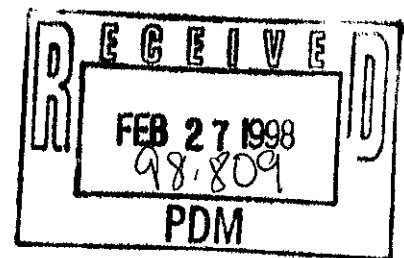
Very truly yours,



M. V. Runkles, III

Encl: Dwg. C-109, "Final Landscape Plan"
Letter of 25 Feb. from Msgr. Amato

cc: Msgr. Nicholas P. Amato
G. Warren Mix, Esq.



ZONING OFFICE

MICROFILMED

18,200 York Road
Parkton, MD., 21120
8 July 1997

Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD., 21204


Ref: Case No. 97-264-A, Assigned
for 20 Aug. 1997 at 10:00 a.m.

Gentlemen/Mesdames:

I wish to advise that Warren Mix, Esq. will be representing me on the above referenced case.

I also wish to request that the postponement of this case requested by Cornelius J. Carmody in his letter of July 8, 1997, not be granted unless I can be guaranteed that no construction whatever will be commenced until after this case is heard by the Board.

Very truly yours,



M. V. Runkles, III

cc: Warren Mix, Esq.
Cornelius J. Carmody, Esq.
Peoples Counsel
Weisburg Comm. Assoc.

97 JUL 14 PM 2:48
RECEIVED
COUNTY BOARD OF APPEALS

MICROFILMED

OUR LADY OF GRACE CHURCH

SCALE: 1"=100'

JAN. 31, 1997

KCW CONSULTANTS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
3104 Timanus Lane, Suite 101
Baltimore, Maryland 21244
281-0030 281-0033

DISTRICT

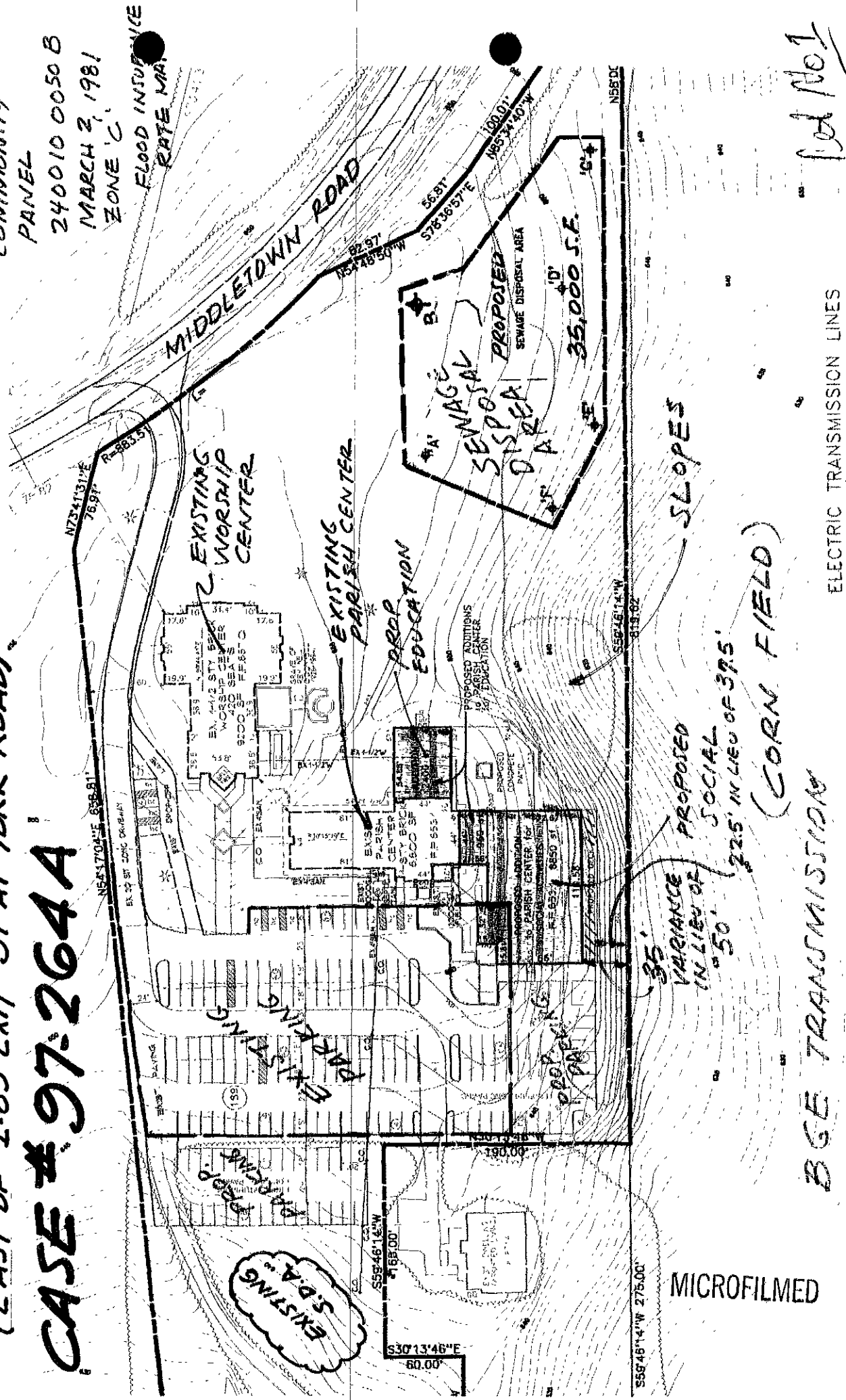
18310 MIDDLETOWN ROAD TAX ACCT. # 0719032920
(EAST OF I-83 EXIT #31 AT YORK ROAD)

CASE # 97-264A

ADC MAP 7 E-4
COMMUNITY
PANEL

240010 0050 B
MARCH 2, 1981
ZONE 'C'

FLOOD INSURANCE
RATE MAP



MICROFILMED

BGE TRANSMISSION

ELECTRIC TRANSMISSION LINES

101 No 1

EDWARD H. & EDNA C. ENSOR
ACCT. # 0705061475
OFFED 7573 / 507
Tax Map 17 P. 150
105.3 ac.

AGRICULTURAL

N54°17'04"E 658.81'

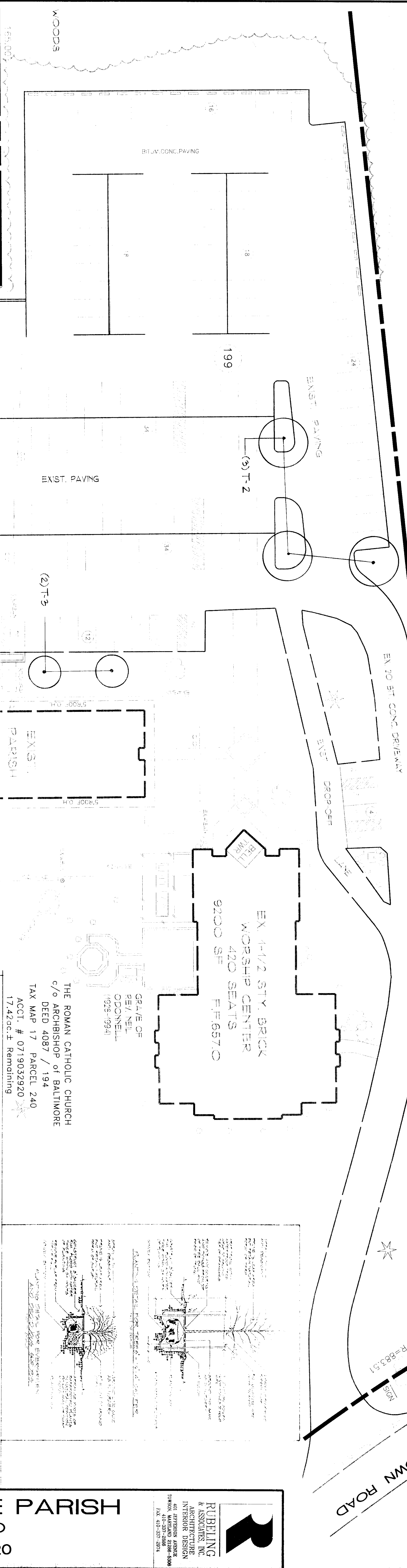
N73°41'31"E

76.91'

MIDDLETOWN ROAD



R=883.01



GRAVE OF
PEI NEIL
ODONELL
(1928-1994)

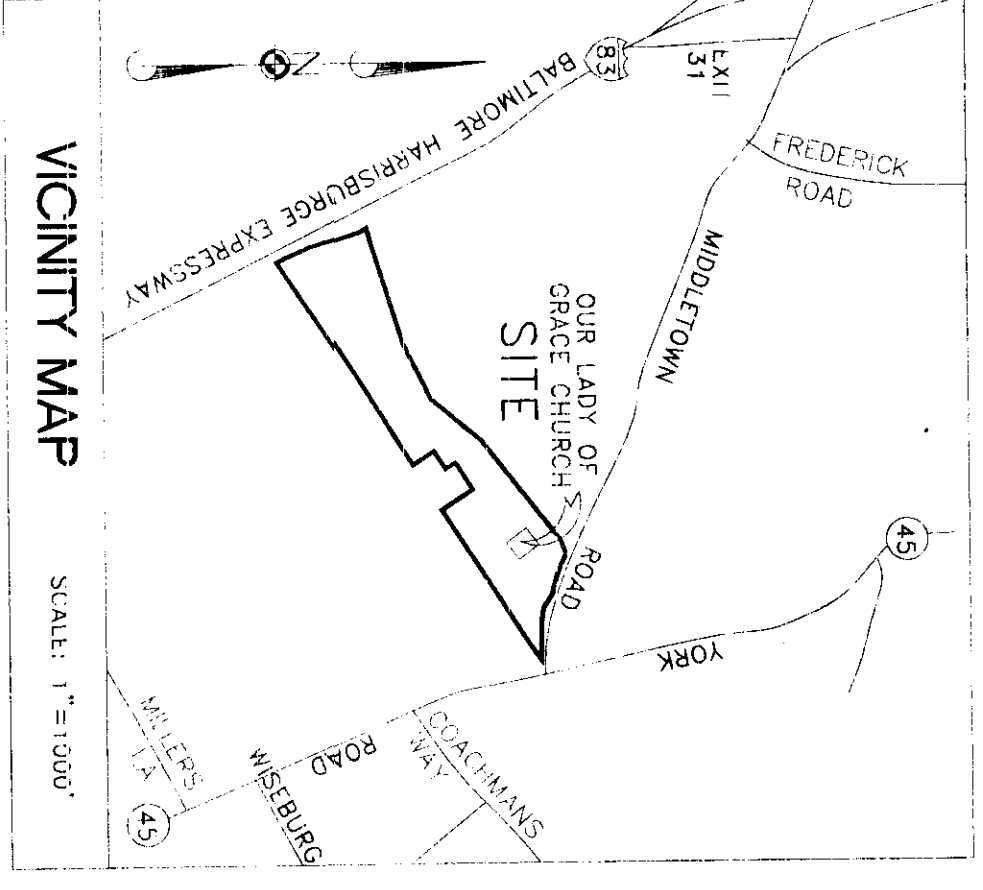
THE ROMAN CATHOLIC CHURCH
c/o ARCHBISHOP of BALTIMORE
DEED 4087 / 194
TAX MAP 17 PARCEL 240
ACCT. # 0719032920
17.42ac.± Remaining

PLANT SCHEDULE

| KEY | QTY | BOTANICAL / COMMON NAME | SIZE | ROOT | REMARKS |
|-----|-----|---|--------------------|---------|------------|
| T-1 | 2 | ACER RUBRUM / RED MAPLE | 3'-3 1/2' CAL. | B 1/2 B | |
| T-2 | 7 | PRUNUS CALLEARYANA 'ARISTOCRAT' / A. HEAD | 2 1/2'-2 1/2' CAL. | B 1/2 B | |
| T-3 | 7 | CORNUS KOUSA / KOUSA DOGWOOD | 8'-10' | B 1/2 B | TREE FORM |
| E-1 | 12 | PICEA ABIES / NORWAY SPRUCE | 5'-6' | B 1/2 B | 10' O.C. |
| E-2 | 21 | PINUS STROBUS / WHITE PINE | 5'-6' | B 1/2 B | 10' O.C. |
| S-1 | 27 | ILEX CRENATA COMPACTA / C. JAP HOLLY | 3'-3 1/2' | #3 CAN | 30' O.C. |
| S-2 | 12 | ILEX GLABRA / INKBERRY | 2'-2 1/2' | #5 CAN | 30' O.C. |
| S-3 | 10 | VIBURNUM BURKWOODI / BURKWOOD V. | 2 1/2'-3' | B 1/2 B | 5' O.C. |
| S-4 | 27 | JUNIPERUS CHINENSIS / SARGENTII | 5'-15" | #2 CAN | SARGENT J. |
| S-5 | 14 | VIBURNUM RHYTHIDAPHNOLUM / LEATHYRUS | 3'-4' | B 1/2 B | 5' O.C. |

PLAN SCALE: 1"=20'

FINAL LANDSCAPE PLAN



LIST of SITE DRAWINGS

Microfilmed

FINAL LANDSCAPE PLAN

SHEET

109

OUR LADY OF GRACE PARISH
18310 MIDDLETOWN ROAD
PARKTON, MARYLAND 21120

RUBBING
& SQUIGGLE
ARCHITECTURE
INTERIOR DESIGN
401 JEFFERSON AVENUE
TOWSON, MARYLAND 21286-4008
TEL: 410-587-2874

THE BETHANY COMMUNITY, Inc.
7714 TOWN / 94
PLAN E-1, E-2, S-1, S-2, S-3, S-4, S-5, T-1, T-2, T-3, T-4, T-5, T-6, T-7, T-8, T-9, T-10, T-11, T-12, T-13, T-14, T-15, T-16, T-17, T-18, T-19, T-20, T-21, T-22, T-23, T-24, T-25, T-26, T-27, T-28, T-29, T-30, T-31, T-32, T-33, T-34, T-35, T-36, T-37, T-38, T-39, T-40, T-41, T-42, T-43, T-44, T-45, T-46, T-47, T-48, T-49, T-50, T-51, T-52, T-53, T-54, T-55, T-56, T-57, T-58, T-59, T-60, T-61, T-62, T-63, T-64, T-65, T-66, T-67, T-68, T-69, T-70, T-71, T-72, T-73, T-74, T-75, T-76, T-77, T-78, T-79, T-80, T-81, T-82, T-83, T-84, T-85, T-86, T-87, T-88, T-89, T-90, T-91, T-92, T-93, T-94, T-95, T-96, T-97, T-98, T-99, T-100, T-101, T-102, T-103, T-104, T-105, T-106, T-107, T-108, T-109, T-110, T-111, T-112, T-113, T-114, T-115, T-116, T-117, T-118, T-119, T-120, T-121, T-122, T-123, T-124, T-125, T-126, T-127, T-128, T-129, T-130, T-131, T-132, T-133, T-134, T-135, T-136, T-137, T-138, T-139, T-140, T-141, T-142, T-143, T-144, T-145, T-146, T-147, T-148, T-149, T-150, T-151, T-152, 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11. **PARKING:**
Required for Worship Center: 400 seats x 1 p.s. per 4 seats = 100 p.s.
or
Required for Parish Center during social activities (non-concurrent uses):
7850 s.f. x 20 p.s. per 1000 s.f. = 157 p.s.
1000 s.f. x 3.3 p.s. per 1000 s.f. = 4 p.s.
Minimum Required Parking Spaces = 161 p.s.

- Existing Parking Spaces = 125 p.s.
Proposed Parking Spaces = 65 p.s.
Total Parking Spaces = 190 p.s. (including 10 handicapped)
Parking surfaces will be paved with bituminous concrete, typical 9" x 18",
permanently striped, and comply with BCZR Section 409.

12. **BUILDING SETBACKS:**
> 100' from Right-of-Way of Interstate I-83
Minimum
Front: 50 ft.
Side: 50 ft.
Rear: 134 ft.

13. **ZONING VARIANCE:** A Zoning Variance is requested from BCZR Section 1A0383 to allow a side yard of 35 ft. in lieu of the minimum required 50 ft.
14. **WAIVER OF STANDARDS:** None

15. **PREVIOUS COMMERCIAL PERMITS:** Existing Parish Center was constructed in 1977 and existing Worship Center constructed in 1990.

17. **SIGNS:** All existing and proposed signs shall comply with BCZR Section 413 and all zoning policies for RC-S zoning.

18. **LIGHTING:** Lighting shall be building or pole mounted and directed away and downward from adjacent residential properties and public rights-of-way.

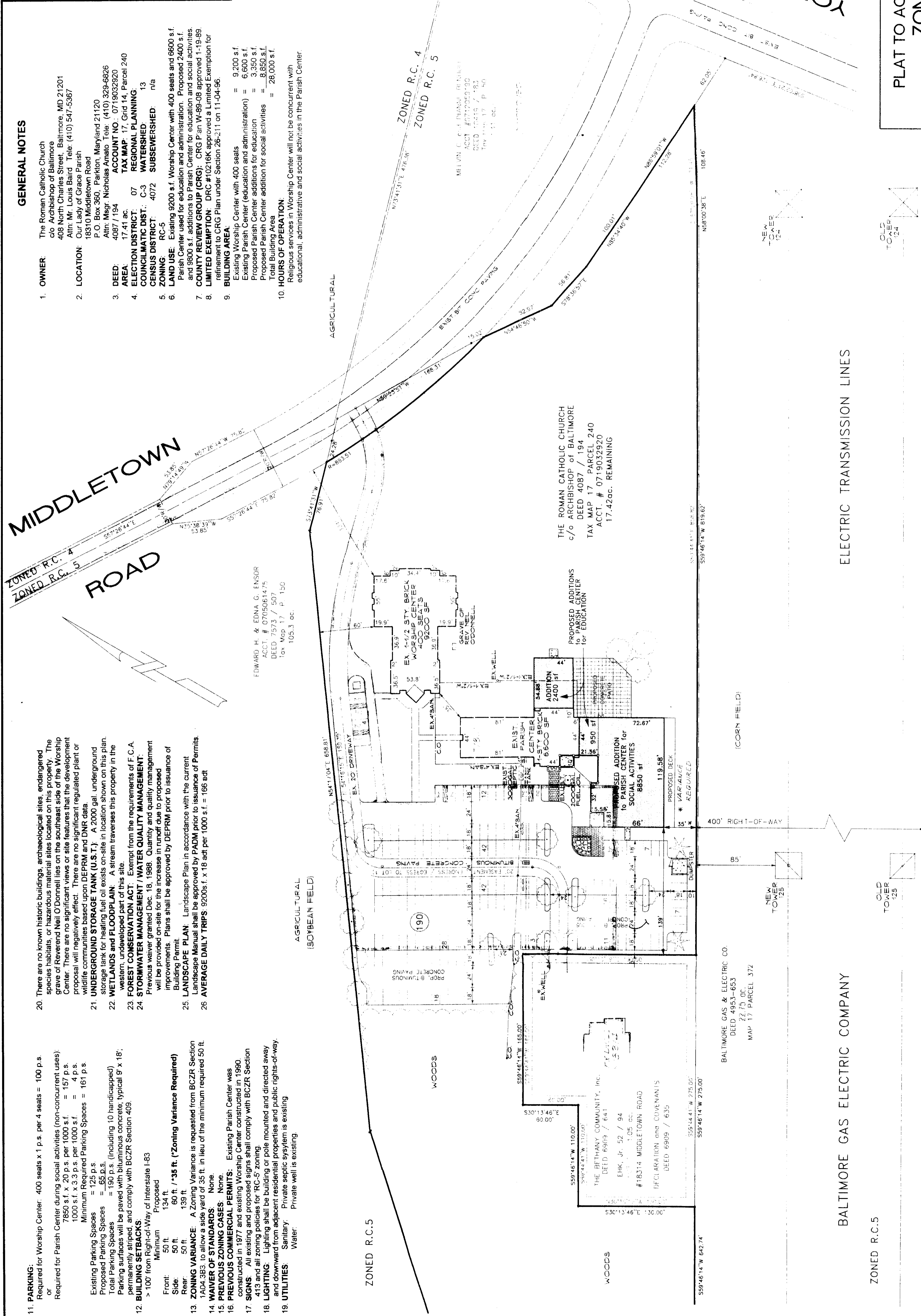
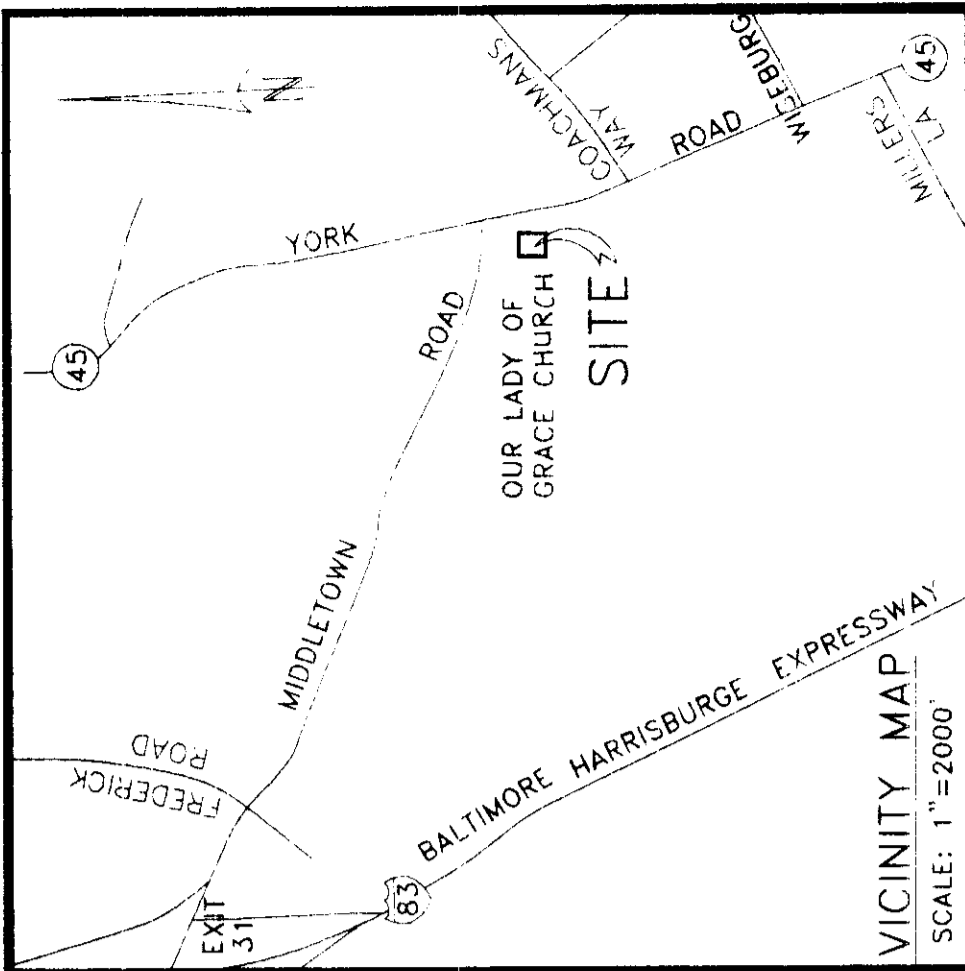
19. **UTILITIES:** Sanitary Private septic system is existing.

- Water: Private well is existing.

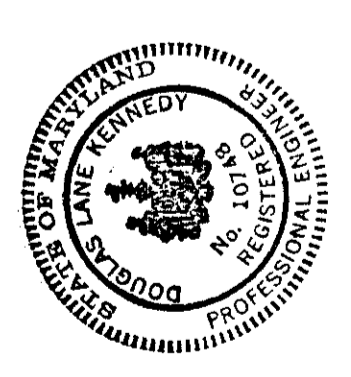
20. There are no known historic buildings, archaeological sites, endangered species habitats, or hazardous material sites located on this property. The grave of Reverend Neil O'Donnell lies on the southeast side of the Worship Center. There are no significant views or site features that the development proposal will negatively affect. There are no significant regulated plant or wildlife communities based upon DEPRM and DNR data.
21. **UNDERGROUND STORAGE TANK (UST):** A 2000 gal. underground storage tank for heating fuel oil exists on-site in location shown on this plan.
22. **WETLANDS AND FLOODPLAIN:** A stream traverses this property in the developed part of this site.
23. **FOREST CONSERVATION ACT:** Exempt from the requirements of F.C.A.
24. **STORMWATER MANAGEMENT / WATER QUALITY MANAGEMENT:** Will be provided on-site for the increase in runoff due to proposed improvements. Plans shall be approved by DEPRM prior to issuance of Building Permit.
25. **LANDSCAPE PLAN:** Landscape Plan in accordance with the current Landscape Manual shall be approved by PADM prior to issuance of Permits.
26. **AVERAGE DAILY TRIPS:** 9200s.t. x 18 act per 1000 s.f. = 166 act

GENERAL NOTES

1. **OWNER:** The Roman Catholic Church
c/o Archbishop of Baltimore
408 North Charles Street, Baltimore, MD 21201
Attn: Mr. Louis Baird Tele: (410) 547-5367
2. **LOCATION:** Our Lady of Grace Parish
18310 Middletown Road
P.O. Box 360, Parkton, Maryland 21120
Attn: Msgr. Nicholas Amato Tele: (410) 329-6826
TAX MAP: 17, Grd 14, Parcel 240
4087 / 194
3. **DEED:** 0719032920
4. **ELECTION DISTRICT:** 07 REGIONAL PLANNING
5. **AREA:** 17.41 ac.
6. **COUNCILMANIC DISTRICT:** C-3 WATERSHED
7. **CENSUS DISTRICT:** 4072 SUBSEWERSHED: n/a
8. **LAND USE:** Existing 9200 s.f. Worship Center with 400 seats and 6600 s.f. Parish Center used for education and administration. Proposed 2400 s.f. and 9800 s.f. additions to Parish Center for education and social activities.
9. **COUNTY REVIEW GROUP (CRG):** CRG Plan W-99-08 approved 1-19-89.
10. **LIMITED EXEMPTION:** DRC #10216K approved a Limited Exemption for refinement to CRG Plan under Section 28-211 on 11-04-96.
11. **BUILDING AREA:**
Existing Worship Center with 400 seats = 9,200 s.f.
Existing Parish Center (education and administration) = 6,600 s.f.
Proposed Parish Center additions for education = 3,350 s.f.
Proposed Parish Center addition for social activities = 8,850 s.f.
Total Building Area = 28,000 s.f.
12. **HOURS OF OPERATION:**
Religious services in Worship Center will not be concurrent with educational, administrative and social activities in the Parish Center.



KCW Consultants, Inc.
CIVIL ENGINEERS AND LAND SURVEYORS
3104 TITMUS LANE, SUITE 101
BALTIMORE, MARYLAND 21244
TELE: (410) 281-0033
FAX: (410) 298-0604



OWNER:
THE ROMAN CATHOLIC CHURCH
c/o ARCHBISHOP OF BALTIMORE
408 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201
Attn: Mr. LEWIS BAIRD
Tele: (410) 547-5367

APPLICANT:
OUR LADY OF GRACE ROMAN
CATHOLIC CONGREGATION, Inc.
18310 MIDDLETOWN ROAD
PARKTON, MARYLAND 21120
Attn: MSGR. NICHOLAS P. AMATO, Pastor
Tele: (410) 329-6826

| REVISIONS | |
|-----------|------------------------------|
| DATE | DESCRIPTION |
| 12/18/96 | 1. 84.7' FOR ZONING VARIANCE |

| | |
|--------------|--------------|
| KCW J.O. | 96453 |
| SCALE: | 1"=50' |
| DATE: | DEC. 9, 1996 |
| DESIGNED: | DLK |
| DRAWN: | Cadd |
| CHECKED: | DLK |
| DRAWING NO.: | Z-1 |

OUR LADY OF GRACE PARISH
18310 MIDDLETOWN ROAD
PARKTON, MARYLAND 21120
7th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

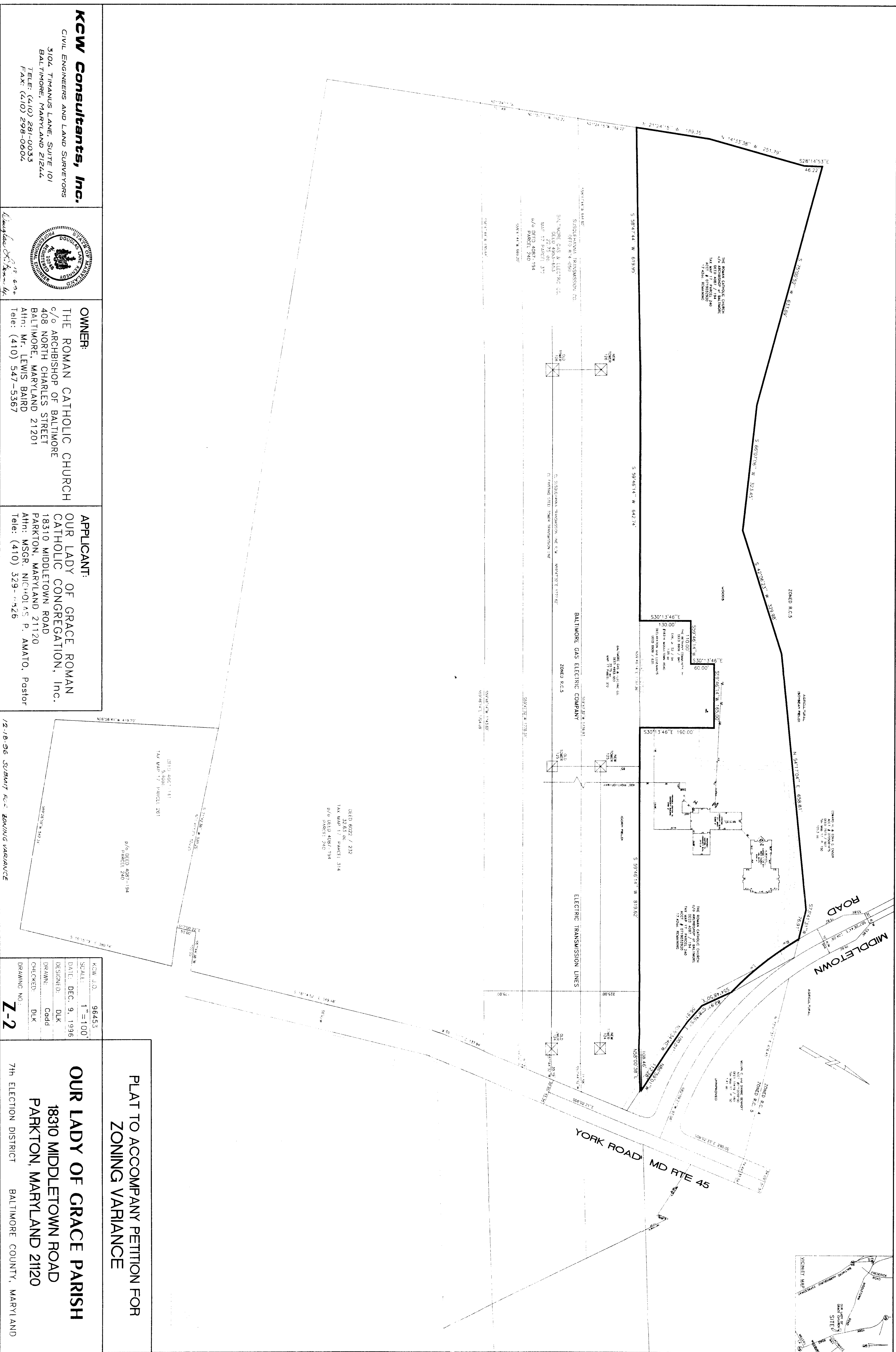
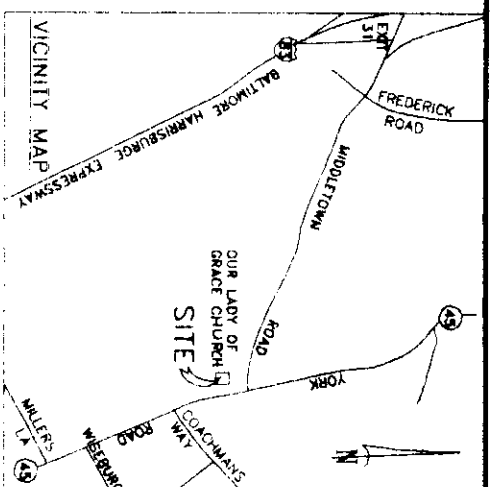
BALTIMORE GAS ELECTRIC COMPANY

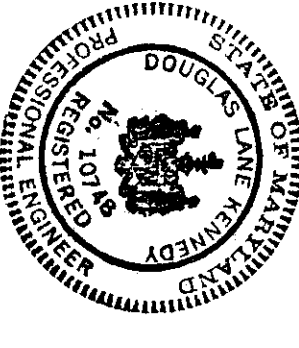
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YORK ROAD MD RTE 45



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| KCW Consultants, Inc. CIVIL ENGINEERS AND LAND SURVEYORS 3104 TIMANUS LANE, SUITE 101 BALTIMORE, MARYLAND 21244 TELE: (410) 281-0033 FAX: (410) 298-0604 |  | OWNER: THE ROMAN CATHOLIC CHURCH c/o ARCHBISHOP OF BALTIMORE 408 NORTH CHARLES STREET BALTIMORE, MARYLAND 21201 Attn: Mr. LEWIS BAIRD Tele: (410) 547-5367 | APPLICANT: OUR LADY OF GRACE ROMAN CATHOLIC CONGREGATION, Inc. 18310 MIDDLETOWN ROAD PARKTON, MARYLAND 21120 Attn: MSGR. NICHOLAS P. AMATO, Pastor Tele: (410) 329-1326 | KCW J.O. 96453 SCALE: 1"=100' DATE: DEC. 9, 1996 DESIGNED: DLK DRAWN: Codd CHECKED: DLK DRAWING NO.: Z-2 | OUR LADY OF GRACE PARISH 18310 MIDDLETOWN ROAD PARKTON, MARYLAND 21120 7TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND |
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